

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

DAVID B. CULLEY (veteran),
SANDRA A. CULLEY (veteran's
spouse),

CV 03-901-JE

ORDER

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
VETERANS' AFFAIRS, NANCY DOTY,
VIRGIL HOCKET, FORREST ROMIG,
CANDICE BOWEN, GARY MONKARSH, Ph.D,

Defendant.

DAVID B. CULLEY
SANDRA A. CULLEY
24984 South Ridge Road
Beavercreek, OR 97004
(503) 632-6944

Plaintiffs, *Pro se*

KARIN J. IMMERMUTH
United States Attorney
1000 S.W. Third Avenue, Suite 600
Portland, OR 97204
(503) 727-1000

ROBERT P. BROUILLARD

Assistant United States Attorney
Western District of Washington
601 Union Street, Suite 5100
Seattle, OR 98101
(206) 553-7970

Attorneys for Defendants United States Department of
Veterans' Affairs, Forrest Romig, Candice Bowen, and
Gary Monkarsh

BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and Recommendation (#90) on May 2, 2005, in which he recommended this Court GRANT the Motion for Summary Judgment filed by Defendants Forrest Romig, Candice Bowen, Gary Monkarsh, and the United States Department of Veterans' Affairs (#61), and DENY the following Motions: Plaintiffs' Motion for Leave to File an Amended Complaint (#80), Plaintiffs' Motion to Strike the Declaration of Gary Monkarsh (#71), Plaintiffs' Motion to Strike the Declaration of Deborah Wilson (#70), and Plaintiffs' Motion to Subpoena Evidence (#72).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the Findings and Recommendation *de novo*.

United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (2003)(*en banc*). The Court does not find any clear error in the Findings and Recommendation and, on that basis, adopts them.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#90). Accordingly, the Court **GRANTS** the Motion for Summary Judgment filed by Defendants Forrest Romig, Candice Bowen, Gary Monkarsh, and the United States Department of Veterans' Affairs (#61), and **DENIES** Plaintiffs' Motion for Leave to File an Amended Complaint (#80), **DENIES** Plaintiffs' Motion to Strike the Declaration of Gary Monkarsh (#71), **DENIES** Plaintiffs' Motion to Strike the Declaration of Deborah Wilson (#70), and **DENIES** Plaintiffs' Motion to Subpoena Evidence (#72).

IT IS SO ORDERED.

DATED this 17th day of June, 2005.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge